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10/637,433	08/07/2003	William J. Aldrich	MWS-059RCE2	2610

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EXAMINER
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ART UNIT	PAPER NUMBER
2179	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 July 2009</u>.

2a)☒ This action is FINAL.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-5,7-19 and 21-23</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-5, 7-19, 21-23</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail. Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the following communications: amendment filed 07/23/2009.

This action is made Final.

2.   Claims 1–5, 7-23 are pending in the case. Claims 1, 12, and 23 are the independent claims.

Claims 6 and 24 has been cancelled.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as
set forth in section 102 of this title, if the differences between the subject matter sought to be
patented and the prior art are such that the subject matter as a whole would have been obvious
at the time the invention was made to a person having ordinary skill in the art to which said
subject matter pertains. Patentability shall not be negatived by the manner in which the invention
was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966),

that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or
        nonobviousness.

4.   **Claims 1-5, 7- 19, 21- 23 are rejected under 35 U.S.C. 103(a) as unpatentable over Matlab**

report generator" Mathworks Inc et al. (hereinafter Matlab), 2001, in view of Sotomayor et

al. (hereinafter Sotomayor) U.S. Patent No. 5708825 issued Jan. 13, 1998.

In regard to **Independent claim 1,** Matlab teaches a method comprising:

- Performing an analysis or synthesis operation on a graphical model representation that includes at least one graphical object (See Page 2, create conditional report and pages 5-8).Matlab shows generating a report during a simulation.

- Producing a report from the analysis or synthesis operation (See Page 2, create conditional report)

- Associating one or more tags with a graphical object of the graphical model representation (See Page 1, bottom GUI uses standard tag sets compatible with existing standards and page 25, report generator tags, every figure in the report has a tag and page 38, user has added a component to the setup file and the tag is associated with an object in the model)

- Associating the one or more tags associated with the graphical object with one or more portions of the produced (See page 28-29, tags are added

- Receiving a selection of the graphical object in the graphical model representation <u>upon completion of the report</u>(See page 1, Matlab shows the output can be in HTML and page 5, Matlab allows the user to input a command during the report generation process that will allow display the portions of the report that are effected by the command. Further, the setup file editor (See page 20, allows the user to manipulate elements of the report that can effect the one or more portions of the report when selected). Moreover, page 14 states the report is displayed in a browser window upon completion of the report

- Displaying, using the computer, <u>a location in</u> the report corresponding to the selected graphical object in response to the selection on a display device (See page 14).

Matlab does not expressly recite:

- <u>Generating, using the computer, one or more tags for one or more graphical objects of the graphical model representation while producing the report.</u>

- <u>Wherein associating creates a selectable connection from the graphical object to the portions of the produced report that corresponds to the object.</u>

Matlab suggests the report generator generate a report that can include figures, data, variables and functions, images and figures (See page 10). Matlab teaches the output of the report can be in

several formats, including HTML. Sotomayor teaches the widely known process of hyper linking a

source and destination within a document (See column 2, lines 30-40). Matlab teaches the process of

adding components to the report, via a wizard (See page 4). An example component is the

chapter/numbering or indexing component and the image component (See page 40-42). Sotomayor

also teaches an example of an indexing component where a document is semantically broken into an

index by assigning tokens for hyperlinks for each key topic or chapter (See column 3, lines 40-67 and

column 4, lines 1-10). The templates of Sotomayor can be a component added to Matlab. Sotomayor

teaches a report is generated from the document as a summary page or presentation page via a

template. The summary pages include assigned and associated tags to elements of the document

embedded within the summary page (See column 4, lines 20-45). Sotomayor teaches an anchor or

tag can be a word, phrase, or graphic (See column 5, lines 30-40) and are specifically linked to the

portion of text, phrase or graphic (See also column 6, lines 49-56). The elements of the Matlab report

generated in HTML can be tagged via this process, as the report is text or words in a document.

Moreover, Sotomayor teaches the process of assigning a tag is processed by performing an analysis

on textual data to generate the summary page (See column 8, lines 25-45). Sotomayor teaches the

summary page has entries with hyperlinks to the destination anchors in the presentation page (See

column 15, lines 1-20). Sotomayor teaches a wizard similar to Matlab that allows the user to edit the

report using templates (See column 21, lines 1-67 and column 23, lines 20-67 and 24, lines 1-67).

Sotomayor explicitly teaches a process of creating a selectable connection between the objects in the

report by assigning a token to the section of the document (See column 27, lines 5-60 and column 33,

lines 35-67). Therefore, the component addition in Matlab can be the template of Sotomayor for the

purposes of generating an HTML document with hyperlinked objects indexed on a summary page.

Matlab and Sotomayor both teach a process of converting data from one format to another and both

teach outputting the document in HTML.

   Accordingly, it would have been obvious to the skilled artisan at the time of the invention having

the teachings of Matlab and Sotomayor in front of them, to modify Matlab's component to specifically

generate tags for elements of the report and creating a selectable connection between the objects in

the report. The motivation to combine Matlab with Sotomayor comes from Sotomayor that this

program can be used with a document conversion system that converts a document into a markup

language (See column 35, lines 25-67 and column 36, lines 1-26) for the purposes of assigning

HTML tokens to elements of a document, which allows selection and linking to related objects.

With respect to **dependent claim 2,** Matlab teaches the method in which the report is a

document structured with portions corresponding to different elements of the graphical model

representation (See page 1).

With respect to **dependent claim 3,** Matlab teaches the method in which the document is a

structural coverage report (Page 4).

With respect to **dependent claims 4, 11, 22,** Matlab teaches the method in which the document

is a code generation report incorporating syntax highlighted code (Page 4, middle).

With respect to **dependent claim 5,** Matlab teaches the method in which the document is a

profiling report that documents relative execution times of each of the elements (page 46,

execution order and signal loop, system loop)

With respect to **dependent claim 7,** Matlab teaches the method further comprising loading an

element in the report in response to activating a graphical object on the graphical model

representation and activating with a mouse (page 14, report generation and viewing the report

page 36-38).

With respect to **dependent claims 8-9, 18-19,** Matlab teaches the method where the tags are

markup language tags (See Page 25, 28 and 29)

With respect to **dependent claim 10,** Matlab teaches the method in which the report is a model

coverage report (See page 1-4, 19 and 20).

In regard to **Claims 12-17, and 21,** claims 12, 14-17, and 21 reflect the system comprising computer readable instructions for performing the steps of method claims 1, 2-5, and 10 respectively, and in further view of the following, are rejected along the same rationale.

Matlab teaches the means for generating and producing a report for a simulated model and performing synthesis on a graphical model (See page 1, middle and page 4, middle). Sotomayor teaches generating tags for the objects while producing the report Sotomayor also teaches an example of an indexing component where a document is semantically broken into an index by assigning tokens for hyperlinks for each key topic or chapter (See column 3, lines 40-67 and column 4, lines 1-10). Sotomayor teaches a report is generated from the document as a summary page or presentation page. The summary pages include assigned and associated tags to elements of the document embedded within the summary page (See column 4, lines 20-45). Sotomayor teaches an anchor to tag can be a word, phrase, or graphic (See column 5, lines 30-40) and are specifically linked to the portion of text, phrase or graphic (See also column 6, lines 49-56). The elements of the Matlab report generated in HTML can be tagged via this process, as the report is text or words in a document. Moreover, Sotomayor teaches the process of assigning a tag is processed by performing an analysis on textual data to generate the summary page (See column 8, lines 25-45). Sotomayor teaches the summary page has entries with hyperlinks to the destination anchors in the presentation page (See column 15, lines 1-20). Sotomayor teaches a wizard similar to Matlab that allows the user to edit the report using templates (See column 21, lines 1-67 and column 23, lines 20-67 and 24, lines 1-67). Sotomayor explicitly teaches a process of creating a selectable connection between the objects in the report by assigning a token to the section of the document (See column 27, lines 5-60 and column 33, lines 35-67).

In regard to **Independent claim 23,** claim 23, reflect substantially similar subject matter as claim 1, therefore is rejected along the same rationale.

Claim 20 is rejected under 35 U.S.C. 102(b) as anticipated by Matlab report generator"

Mathworks Inc et al. (hereinafter Matlab), in view of Sotomayor et al. (hereinafter

Sotomayor) U.S. Patent No. 5708825 issued Jan. 13, 1998, in further view of Shaughnessy

et al. (hereinafter Shaughnessy) U.S. Patent No. 7015911 issued March 31, 2003.

With respect to **dependent claim 20** as indicated in the above discussion Matlab in view of

Sotomayor teaches every limitation of claim 1.

Matlab teaches a report generator and teaches the report output formats can be in multiple

formats (See page 15). Matlab in view of Sotomayor does not specifically recite that the report

can be generated using PDF links. However, this limitation would have been obvious to one of

ordinary skill in the art at the time of the invention, in view of Shaughnessy, because

Shaughnessy specifically teaches generating a report in PDF format, which would have PDF

embedded links (see column 2, lines 45-67). Shaughnessy suggests the combination by stating

the visual representation is displayed in the target format based on the data structure format. The

reports can be in PDF where the structure indicates the output type by having a specific PDF tag

(See column 3, 15-20 and column 2, lines 45-67).

A reference to specific paragraphs, columns, pages, or figures in a cited prior art
reference is not limited to preferred embodiments or any specific examples. It is well
settled that a prior art reference, in its entirety, must be considered for all that it expressly
teaches and fairly suggests to one having ordinary skill in the art. Stated differently, a
prior art disclosure reading on a limitation of Applicant's claim cannot be ignored on the
ground that other embodiments disclosed were instead cited. Therefore, the Examiner's
citation to a specific portion of a single prior art reference is not intended to exclusively
dictate, but rather, to demonstrate an exemplary disclosure commensurate with the
specific limitations being addressed. In re *Heck,* 699 F.2d 1331, 1332-33,216 USPQ 1038,
1039 (Fed. Cir. 1983) (quoting In re *Lemelson,* 397 F.2d 1006, 1009, 158 USPQ 275, 277
(CCPA 1968)). In re: *Upsher-Smith Labs. v. Pamlab, LLC,* 412 F.3d 1319, 1323, 75 USPQ2d
1213, 1215 (Fed. Cir. 2005); In re *Fritch,* 972 F.2d 1260, 1264, 23 USPQ2d 1780, 1782 (Fed.
Cir. 1992); *Merck & Co. v. Biocraft Labs., Inc.,* 874 F.2d 804, 807, 10 USPQ2d 1843, 1846
(Fed. Cir. 1989); In re *Fracalossi,* 681 F.2d 792,794 n.1, 215 USPQ 569, 570 n.1 (CCPA 1982);
In re *Lamberti,* 545 F.2d 747, 750, 192 USPQ 278, 280 (CCPA 1976); In re *Bozek,* 416 F.2d
1385, 1390, 163 USPQ 545, 549 (CCPA 1969).

Response to Arguments

Applicant's arguments with respect to claims 1-5, 7-23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6160549 to Touma, which discloses a process of generating a report from a declarative model of graphical objects and running simulation on the configured model.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven B. Theriault whose telephone number is (571) 272-5867. The examiner can normally be reached on M, W, F 10:00AM - 8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained from

either Private PAIR or Public PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC)

at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative

or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-

1000.

/Steven B Theriault/
Primary Examiner
Art Unit 2179